

Pro Se 4 (Rev. 12/10) **CLERK'S OFFICE** for a Civil Case Alleging Breach of ContractRECEIVED IN CLERK'S OFFICE  
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JUN 23 2022

KEVIN P. WEIMER, Clerk  
By: *[Signature]* Deputy Clerk

## UNITED STATES DISTRICT COURT

for the

Northern District of Georgia



Atlanta Division

Marla Yvonne Kelly

Case No. **1:22-cv-2521**  
(to be filled in by the Clerk's Office)

## Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Walden University

## Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jury Trial: (check one) ☒ Yes ☐ No**COMPLAINT FOR A CIVIL CASE ALLEGING BREACH OF CONTRACT**  
(28 U.S.C. § 1332; Diversity of Citizenship)**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Marla Yvonne Kelly
Street Address	2396 Lawrenceville Hwy., Unit Y
City and County	Decatur, Dekalb
State and Zip Code	Georgia 30033
Telephone Number	770-875-5190
E-mail Address	mkelly875@yahoo.com

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

**Defendant No. 1**

Name Walden University

Job or Title *(if known)* \_\_\_\_\_

Street Address 100 S. Washington Avenue, Suite 1210

City and County Minneapolis, Hennepin

State and Zip Code Minnesota 55401

Telephone Number 855-694-2946

E-mail Address *(if known)* help@waldenu.edu

**Defendant No. 2**

Name \_\_\_\_\_

Job or Title *(if known)* \_\_\_\_\_

Street Address \_\_\_\_\_

City and County \_\_\_\_\_

State and Zip Code \_\_\_\_\_

Telephone Number \_\_\_\_\_

E-mail Address *(if known)* \_\_\_\_\_

**Defendant No. 3**

Name \_\_\_\_\_

Job or Title *(if known)* \_\_\_\_\_

Street Address \_\_\_\_\_

City and County \_\_\_\_\_

State and Zip Code \_\_\_\_\_

Telephone Number \_\_\_\_\_

E-mail Address *(if known)* \_\_\_\_\_

**Defendant No. 4**

Name \_\_\_\_\_

Job or Title *(if known)* \_\_\_\_\_

Street Address \_\_\_\_\_

City and County \_\_\_\_\_

State and Zip Code \_\_\_\_\_

Telephone Number \_\_\_\_\_

E-mail Address *(if known)* \_\_\_\_\_

**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Under 28 U.S.C. § 1332, federal courts may hear cases in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000. In that kind of case, called a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff. Explain how these jurisdictional requirements have been met.

**A. The Plaintiff(s)**

1. If the plaintiff is an individual

The plaintiff, (name) Marla Yvonne Kelly, is a citizen of the  
State of (name) Georgia.

2. If the plaintiff is a corporation

The plaintiff, (name) \_\_\_\_\_, is incorporated  
under the laws of the State of (name) \_\_\_\_\_,  
and has its principal place of business in the State of (name) \_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

**B. The Defendant(s)**

1. If the defendant is an individual

The defendant, (name) \_\_\_\_\_, is a citizen of  
the State of (name) \_\_\_\_\_. Or is a citizen of  
(foreign nation) \_\_\_\_\_.

2. If the defendant is a corporation

The defendant, (name) Walden University, is incorporated under  
the laws of the State of (name) Minnesota, and has its  
principal place of business in the State of (name) Minnesota.  
Or is incorporated under the laws of (foreign nation) \_\_\_\_\_,  
and has its principal place of business in (name) \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

**C. The Amount in Controversy**

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):



Walden University faculty extended the time and costs of my doctoral degree program to 8 years and more than \$245000.00 (now more than \$357000) by failing to adhere to their own dissertation protocols or any standard dissertation protocols, then failed to deliver my degree certificate.

### III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

The plaintiff, (name) Marla Yvonne Kelly, and the defendant, (name) Walden University, made an agreement or contract on (date) 06/01/2008. The agreement or contract was (oral or written) Written ☒ . Under that agreement or contract, the parties were required to (specify what the agreement or contract required each party to do) act in accordance with Walden University's written requirements, guidelines, and protocols to support Marla Yvonne Kelly in completing a Doctor of Human Services program in the College of Social and Behavioral Sciences within an average time and cost to that of similar programs in other universities.

The defendant failed to comply because (specify what the defendant did or failed to do that failed to comply with what the agreement or contract required) after I, Marla Kelly, completed five (5) years of academic coursework and independent research with an almost perfect grade point average (if fair, a perfect grade point average): 1. Walden failed to provide appropriate qualified faculty for the completion of my final study, my dissertation, 2. Walden faculty refused or were incapable of following dissertation protocols to complete my dissertation and degree certificate. Lack of protocols included the Walden program director failed to fulfill any responsibilities to me including (see attached page)

The plaintiff has complied with the plaintiff's obligations under the contract.

### IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

I respectfully ask the Court to order Walden University to pay to me Relief of \$1,814,000.00 in actual damages that include \$550,000.00 in minimum salary I would have received as a practicing Doctor of Human Services, \$357,000.00 in student loans and interest charged to me for Walden's racketeering and abuse, and \$907,000.00 in pain and suffering for the loss of my 737 credit rating to no credit at all, loss of my home (although leased, I would have finally had an opportunity to buy), and inability to function due to the trauma and ongoing devastation of spending eight years of my life working towards something that was promised to be beneficial but was antithetical, debilitating, and exploitive. Additionally, I respectfully ask the Court to order punitive damages as the Court sees appropriate.

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III. Statement of the Claim (continued)

failure to file my dissertation prospectus in the research offices as protocol required. He led me to believe he had done so for almost two years while I completed extensive research on my dissertation proposal. His actions continually raised costs of the program as he provided further misdirection to other faculty who supported him in circumventing the completion of my dissertation and degree.

3. Walden faculty repeatedly made demands that circumvented protocols extending the time and costs of my program while resisting completion of my dissertation and degree program 4. ***After 8 years of matriculation with a 3.9 grade point average on a 4.0 scale, Walden faculty never provided any opportunity an all to complete my dissertation research.*** 5. ***Walden faculty maliciously and wrongfully dismissed me from the college without my degree certificate after having been repeatedly harassed.*** 6. ***Finally, in October 2016, Walden University upheld my wrongful dismissal breaking our contractual agreement but charged to me the more than \$245000.00 for their incompetence and abuse.***

**V. Certification and Closing**

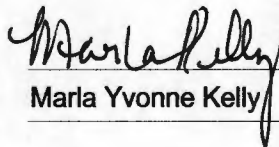
Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 06/23/2022

Signature of Plaintiff



Printed Name of Plaintiff

Marla Yvonne Kelly

**B. For Attorneys**

Date of signing: \_\_\_\_\_

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address